



3FW

PTO/SB/21 (09-06)

Approved for use through 03/31/2007. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/670,701
	Filing Date	September 24, 2003
	First Named Inventor	Xing SU
	Art Unit	1637
	Examiner Name	J. Fredman
Total Number of Pages in This Submission	Attorney Docket Number	070702006700

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Receipt Postcard Copies of IDS Citations (23 refs)
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	MORRISON & FOERSTER LLP		
Signature			
Printed name	Raj S. Dave		
Date	March 8, 2007	Reg. No.	42,465



Patent  
Docket No. 070702006700

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Xing SU et al.

Serial No.: 10/670,701

Filing Date: September 24, 2003

For: PROGRAMMABLE MOLECULAR  
BARCODES

Examiner: J. Fredman

Group Art Unit: 1637

**INFORMATION DISCLOSURE  
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO/SB/08a/b. Copies of foreign documents and non-patent literature are submitted herewith. The Examiner is requested to make these documents of record.

This Information Disclosure Statement is submitted before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114; accordingly, no fee or separate requirements are required.

Applicants would appreciate the Examiner initialing and returning the Form PTO/SB/08a/b, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. § 1.17 (p)) is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petition and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing (070702006700).

Dated: March 8, 2007

Respectfully submitted,

By 

Raj S. Dave'

Registration No.: 42,465

MORRISON & FOERSTER LLP

1650 Tysons Blvd, Suite 300

McLean, Virginia 22102

(703) 760-7755



ALTERNATIVE TO PTO/SB/08A/B (09/06)

Substitute for form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>			<b>Complete if Known</b>		
			Application Number	10/670,701	
			Filing Date	September 24, 2003	
			First Named Inventor	Xing SU	
			Art Unit	1637	
			Examiner Name	J. Fredman	
Sheet	1	of	3	Attorney Docket Number	070702006700

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	1.	US-3,817,837	06-18-1974	Rubenstein et al.	
	2.	US-3,850,752	11-26-1974	Schuurs et al.	
	3.	US-3,939,350	02-17-1976	Melvyn et al.	
	4.	US-3,996,345	12-07-1976	Edwin et al.	
	5.	US-4,275,149	06-23-1981	Litman et al.	
	6.	US-4,277,437	07-07-1981	Maggio	
	7.	US-4,366,241	12-28-1982	Tom et al.	
	8.	US-4,683,195	07-28-1987	Mullis et al.	
	9.	US-4,683,202-A	07-28-1987	Mullis	
	10.	US-4,800,159	01-24-1989	Mullis et al.	
	11.	US-4,883,750	11-28-1989	Whiteley et al.	
	12.	US-5,270,163	12-14-1993	Gold et al.	
	13.	US-5,279,721	01-18-1994	Schmid	
	14.	US-5,306,403	04-26-1994	Vo-Dinh	
	15.	US-5,401,511	03-28-1995	Margalit	
	16.	US-5,472,881	12-05-1995	Beebe et al.	
	17.	US-5,539,082	07-23-1996	Nielsen et al.	
	18.	US-5,567,588	10-22-1996	Gold et al.	
	19.	US-5,603,872	02-18-1997	Margalit	
	20.	US-5,670,637	09-23-1997	Gold et al.	
	21.	US-5,696,249	12-09-1997	Gold et al.	
	22.	US-5,714,331	02-03-1998	Buchardt et al.	
	23.	US-5,719,262	02-17-1998	Buchardt et al.	
	24.	US-5,840,862	11-24-1998	Bensimon et al.	
	25.	US-5,843,653	12-01-1998	Gold et al.	
	26.	US-5,866,336	02-02-1999	Nazarenko et al.	
	27.	US-6,002,471	12-14-1999	Quake	
	28.	US-6,013,456	01-11-2000	Akhavan-Tafti et al.	
	29.	US-6,054,327	04-25-2000	Bensimon et al.	
	30.	US-6,054,495	04-25-2000	Markowitz et al.	
	31.	US-6,127,120	10-03-2000	Graham et al.	
	32.	US-6,149,868	11-21-2000	Natan et al.	
	33.	US-6,174,677	01-16-2001	Vo-Dinh	
	34.	US-6,187,823	02-13-2001	Haddon et al.	
	35.	US-6,225,055	05-01-2001	Bensimon et al.	
	36.	US-6,248,537	06-19-2001	Bensimon et al.	
	37.	US-6,258,401	07-10-2001	Crowley	
	38.	US-6,263,286	07-17-2001	Gilmanshin et al.	
	39.	US-6,265,153	07-24-2001	Bensimon et al.	
	40.	US-6,283,812	09-04-2001	Jin et al.	
	41.	US-6,297,592	10-02-2001	Goren et al.	
	42.	US-6,303,296	10-16-2001	Bensimon et al.	
	43.	US-6,344,319	02-05-2002	Bensimon et al.	
	44.	US-6,358,375	03-19-2002	Schwob	
	45.	US-2003/059778	03-27-2003	Berlin et al.	
	46.	US-2003/113740	06-19-2003	Chad et al.	
	47.	US-2003/148289	08-07-2003	Sundararajan et al.	

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

va-196424

Substitute for form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/670,701
				Filing Date	September 24, 2003
				First Named Inventor	Xing SU
				Art Unit	1637
				Examiner Name	J. Fredman
Sheet	2	of	3	Attorney Docket Number	070702006700

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
	48.	WO-97/19193	05-29-1997	Yale University		
	49.	WO-01/25002	04-12-2001	SurroMed, Inc.		
	50.	WO-03/13740	2-20-2003	Advanced Syntech, LLC		
	51.	WO-04/038037	05-06-2004	Intel Corp.		

\*EXAMINER: Initial if information considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author ( in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.				T <sup>2</sup>
	52.	Bensimon et al. (1995). "Stretching DNA with a Receding Meniscus: Experiments and Models," <i>Physical Review Letters</i> 74(23): 4754-4760.				
	53.	Benson et al. (2001). "Design of Bioelectronic Interfaces by Exploiting Hinge-Bending Motions in Proteins," <i>Science</i> 293:1641-1644.				
	54.	Berger and Kimmel, eds. (1987). <i>Guide to Molecular Cloning Techniques Vol. 152</i> . Academic Press Inc.: New York, New York. pp. v-xi, Table of Contents.				
	55.	Brody et al. (2000). "Aptamers as therapeutic and diagnostic agents," <i>Review in Molecular Biotechnology</i> 74:5-13.				
	56.	Cao et al. (2002). "Nanoparticles with Raman Spectroscopic Fingerprints for DNA and RNA Detection," <i>Science</i> 297:1536-1540.				
	57.	Craighead, H.G. (2000). "Nanoelectromechanical Systems," <i>Science</i> 290:1532-1535.				
	58.	Freitag et al. (2000). "Local electronic properties of single-wall nanotube circuits measured by conducting-tip AFM," <i>Physical Review B</i> 62(4): R2307-R2310.				
	59.	Harlow and Lane. (1988). <i>Antibodies: A Laboratory Manual</i> . Cold Spring Harbor Laboratory Press: Cold Spring Harbor, NY. pp. iii-ix, Table of Contents.				
	60.	Johnson and Kahn. (1993). "Peptide Turn Mimetics" Chapter 14 <i>In Biotechnology and Pharmacy</i> . Pezzuto et al eds., Chapman and Hall: New York, NY, pp. 366-378.				
	61.	Lee and Meisel. (1982). "Adsorption and Surface-Enhanced Raman of Dyes on Silver and Gold Sols," <i>The Journal of Physical Chemistry</i> 86(17):3391-3395.				
	62.	McBride and Caruthers. (1983). "An Investigation of Several Deoxynucleoside Phosphoramidites Useful for Synthesizing Deoxyoligonucleotides," <i>Tetrahedron Letters</i> 24(3): 245-248.				
	63.	Michalet et al. (1997). "Dynamic Molecular Combing: Stretching the Whole Human Genome for High-Resolution Studies," <i>Science</i> 277: 1518-1523.				
	64.	Nicewarner-Peña et al. (2001). "Submicrometer Metallic Barcodes," <i>Science</i> 294: 137-141.				
	65.	Nielsen et al. (1991). "Sequence-Selective Recognition of DNA by Strand Displacement with a Thymine-Substituted Polyamide," <i>Science</i> 254:1497-1500.				
	66.	Parker et al. (1991). "High-Yield Synthesis, Separation, and Mass-Spectrometric Characterization of Fullerenes C <sub>60</sub> to C <sub>266</sub> ," <i>Journal of the American Chemical Society</i> 113(20):7499-7503.				

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

va-196424

Substitute for form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	10/670,701
				Filing Date	September 24, 2003
				First Named Inventor	Xing SU
				Art Unit	1637
				Examiner Name	J. Fredman
				Attorney Docket Number	070702006700
Sheet	3	of	3		

	67.	Sambrook et al. (1989). <i>Molecular Cloning: A Laboratory Manual</i> , 2nd Ed. Cold Spring Harbor Laboratory Press: Cold Spring Harbor, NY. pp. xi-xxxviii, Table of Contents.	
	68.	Schoenfeld et al. (1996). "Formation of Si Quantum Dots in Nanocrystalline Silicon," <i>Solid State Electronics</i> 40:605-608.	
	69.	Voldman et al. (1999). "Microfabrication in Biology and Medicine," <i>Annual Review of Biomedical Engineering</i> 1:401-425.	
	70.	Zhao et al. (1995). "Nanocrystalline Si: a material constructed by Si quantum dots," <i>Materials Science and Engineering</i> B35:467-471.	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--